

# Notice of Allowability

Application No.

10/021,053

Examiner

Iraj A Mohandesi

Applicant(s)

BINNARD ET AL.

Art Unit

2834

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/04/2004.
2. ☒ The allowed claim(s) is/are 17,28,30,32 -44.
3. ☒ The drawings filed on 10 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DARREN SCHUBERG**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

### **DETAILED ACTION**

1. Claims 1'-26,29 and 31 have been canceled.
2. New claims 32-44 have been added. Specification and Fig. 1-4 support the new claims.
3. Allowable Subject of claims 27, 28 and 30 have been rewritten in independent form to include the subject matter of independent claim 1 and any intervening claim.

#### ***Allowable Subject Matter***

4. Claims 27,28,30,32-41 are allowed.
5. The following is an examiner's statement of reasons for allowance:
6. Regarding claim 27 and 32, the prior art of the record in particular, Bader US patent 5,763,965 does not teach or suggest a supporting structure for a linear motor having a first part and a second part including inter alia, a stage to which is attached the second part of the first motor and the second part of the second motor, and a second stage to which the first part of the second motor is attached, wherein the base and the second stage are different respective bodies, and the second stage includes at least one arm that extends in the "y" direction and includes the first part of the second motor for applying force in the "y" direction to the stage.

Regarding claim 31 and 41 The prior art of the record in particular, Bader US patent 5,763,965 does not teach or suggest a supporting structure for a linear motor that includes a first part and a second part including a stage to which is attached the second part of the first motor and the second part of the second motor, and a second stage to

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which the first part of the second motor is attached, wherein the base and the second stage are different respective bodies, the second stage carries a portion of a levitation device which extends along the at least one arms in the "y" direction, the stage carries another portion of the levitation device, and the levitation device provides a levitation force to support the stage weight.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A Mohandesi whose telephone number is 571-272-2028. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
DARREN SCHUBERG  
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